



**IOWA DEPARTMENT OF NATURAL RESOURCES**

**February 5, 2009  
For immediate release**

- 1. Oil filter recycling legislation now in effect**
- 2. DNR enforcement actions**

## **OIL FILTER RECYCLING LEGISLATION NOW IN EFFECT**

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DES MOINES — Effective Feb. 4, 2009, retailers selling oil filters in Iowa are required to accept used oil filters from customers or post notice of the nearest location where used oil filters are accepted for recycling.

According to the law, businesses that generate used oil filters or accept used oil filters from customers are not allowed to dispose of the filters in the regular trash and must source separate the filters for recycling.

“Recycling used oil filters provides a number of benefits to Iowans. Several ounces of used oil can remain in used oil filters even after being properly drained,” said Tom Anderson, DNR environmental specialist.

Recovering used oil removes it from the environment where it could possibly contaminate water and land resources. Recycling steel from oil filters conserves natural resources and assists with Iowa’s energy independence goals.

“Many businesses have been recycling their used oil filters for some time. This new law will capture thousands of additional gallons of used oil and several of tons of steel for recycling,” said Anderson.



A copy of the rules can be viewed on the DNR Web site at [www.iowadnr.gov/waste/hhm/hhmretailers.html](http://www.iowadnr.gov/waste/hhm/hhmretailers.html)

The DNR offers resources and information to assist businesses with the new requirements:

- Used Oil Filter Sign [www.iowadnr.gov/waste/hhm/hhmretailers.html](http://www.iowadnr.gov/waste/hhm/hhmretailers.html)
- Used Oil Filter Collection Sites [www.iowadnr.gov/waste/hhm/hhmauto.html](http://www.iowadnr.gov/waste/hhm/hhmauto.html)
- Used Oil Filter Transporters and Processors [www.iowadnr.gov/waste/hhm/files/transporters.pdf](http://www.iowadnr.gov/waste/hhm/files/transporters.pdf)

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## **DNR ENFORCEMENT ACTIONS**

**MEDIA CONTACT: Jessie Brown at (515) 281-5131.**

DES MOINES — The DNR has taken the following enforcement actions. The following are only briefs; please contact Jessie Brown of the DNR for more information at (515) 281-5131.

Enforcement actions, including copies of the original orders and contact information, are available on the DNR's Web site at [www.iowadnr.gov/legal/eactions.html](http://www.iowadnr.gov/legal/eactions.html). The Web listing offers orders first taken in 2007 or later (original orders and amendments to orders issued prior to 2007 are not listed).

### **Administrative Orders**

Responsible parties have 30 days to appeal the order or 60 days to pay the penalty.

#### **Butler County**

The City of Greene was issued an administrative order to control dust, submit a plan of action to the DNR on controlling the dust, and to pay a \$6,000 penalty. The order is in regard to air quality violations and has been appealed.

#### **Emmet County**

The City of Armstrong was issued an administrative order to obtain all permits required by the DNR prior to future construction and to pay a \$5,000 penalty. The order is in regard to failure to apply for a construction permit prior to constructing a new water main. The city has appealed the order.

#### **Fremont, Pottawattamie Counties**

Ron and Joanne Kennedy, of Council Bluffs, were issued an administrative order to submit a Tier I assessment report for underground storage tanks, and to pay a \$10,000 penalty. The order is in regard to underground storage tank violations at a site in Sidney.

#### **Polk, Tama Counties**



The Iowa Conference of the United Church of Christ, of Des Moines, and Our Sacred Space, Inc., of Montour, were issued an administrative order to submit a National Pollutant Discharge Elimination System (NPDES) permit and pay a \$2,000 penalty. The order is in regard to failure to renew an NPDES permit in a timely manner for the waste disposal system at Pilgrim Heights Retreat Center. The order has been appealed.

#### **Poweshiek County**

Kyungheeyon LLC, of Brooklyn, was issued an administrative order to pay a \$2,000 penalty. The order is in regard to failure to renew a National Pollutant Discharge Elimination System (NPDES) permit in a timely manner for the Sleep Inn Motel and has been appealed.

#### **Scott County**

Great River, LC, of LeClaire, was issued an administrative order to maintain coverage under a National Pollutant Discharge Elimination System (NPDES) permit for stormwater for all housing development projects in the River Highlands subdivision. Great River is also required to pay all required permit fees, including back fees, and to pay a \$10,000 penalty. The order is in regard to storm water violations.

In a separate administrative order, Great River, LC; River Highlands Homeowners Association; and River Highlands Water System Association were ordered to hire a well contractor to determine capacity of their well, to investigate the integrity of the well and well pump. They were also ordered to apply for a construction permit for system improvements, and retain a properly certified operator for the public water supply facility. Great River was ordered to pay a \$6,000 penalty, while the homeowners association and water association were ordered to pay a \$4,000 penalty. The order is in regard to water supply (drinking water) violations and has been appealed.

#### **Winneshiek County**

Winneshiek Wildberry Winery, LLC, of Decorah, was issued an administrative order to cease providing water until an adequate chlorine residual is maintained and the water is tested as absent of coliform bacteria or until there has been connection to an adequate new source absent of coliform bacteria. The winery also was ordered to provide public notification and select an alternative to correct bacteria violations. The order is in regard to violations in the winery's public water supply system.

#### **Consent Orders**

A consent order is issued as an alternative to issuing an administrative order. A consent order indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.

#### **Clinton County**

Sam Lee, of De Witt, agreed in a consent order to clean up manure from his confinement pits, prevent all future manure releases, submit an annual manure management plan and



pay a \$3,000 penalty. The consent order is in regard to a manure release and water quality violations.

#### **Dallas County**

The City of Minburn agreed in a consent order to comply with the effluent limitation of its National Pollutant Discharge Elimination System (NPDES) permit and to prepare a report for improvements to its wastewater treatment facility. The city also agreed to pay an \$800 penalty. The consent order is in regard to prohibited wastewater discharges.

#### **Dubuque County**

M & K, Ltd., dba The Dubuque Marina, of Dubuque, agreed in a consent order to pay a \$1,000 penalty. The consent order is in regard to inspection violations for underground storage tanks at a site in Dubuque.

#### **Franklin County**

Jerry Passehl, of Latimer, agreed in a consent order to properly dispose contaminated soil around his car crushers, to remove all appliances from his property or obtain an appliance disposal permit, to store no more than 500 tires or obtain a waste tire stockpile permit, and to pay a \$3,000 penalty. The consent order is in regard to solid waste violations at a salvage yard in Franklin County.

#### **Polk County**

The City of West Des Moines agreed in a consent order to hire a certified compliance inspector to complete an inspection of an underground storage tank, and to pay a \$1,000 penalty. The consent order is in regard to an underground storage tank for diesel at the city's North Slope Pump Station.

#### **Scott County**

Linwood Mining and Materials Corporation, of Davenport, agreed in a consent order to submit a facility operation and management plan, and to pay a \$5,000 penalty. The consent order is in regard to air quality violations.

#### **Washington County**

Schnoebelen Inc., of Riverside, agreed in a consent order to pay a \$1,000 penalty. The consent order is in regard to open burning, improper solid waste disposal and storm water permitting violations.

#### **Wright County**

North Central Cooperative, of Clarion, agreed in a consent order to repair its leaking fertilizer tanks, to properly dispose ammonia-contaminated water in the tanks' secondary containment system, and to pay a \$10,000 penalty and \$8,448.04 in restitution for a fish kill. The consent order is in regard to wastewater violations that resulted in a fish kill in Little Eagle Creek.